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11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 TRUSTEES OF THE BRICKLAYERS LOCAL NO. ) CASE NO. 08-0671 PJH  
14 3 PENSION TRUST; TRUSTEES OF THE )  
15 BRICKLAYERS LOCAL NO. 3 HEALTH AND )  
16 WELFARE TRUST; TRUSTEES OF THE ) NOTICE OF VOLUNTARY  
17 BRICKLAYERS AND ALLIED CRAFTS LOCAL ) DISMISSAL WITHOUT  
18 NO. 3 APPRENTICE TRAINING TRUST; ) PREJUDICE  
19 INTERNATIONAL UNION OF )  
20 BRICKLAYERS AND ALLIED CRAFTWORKERS )  
21 AFL-CIO, LOCAL UNION NO. 3, on behalf )  
22 of itself and as agent for )  
23 its members; TRUSTEES OF THE )  
24 INTERNATIONAL UNION OF BRICKLAYERS AND )  
25 ALLIED CRAFTSMEN PENSION FUND, )  
26 )  
27 Plaintiffs, )  
28 )  
vs. )  
JUERGEN KRUEGER, INC., a California )  
corporation; SURETY COMPANY OF THE )  
PACIFIC, a California corporation; )  
Defendants. )

Pursuant to FRCivP 41(a)(1), Plaintiffs hereby request the  
dismissal, without prejudice, of the entire action.

Dated: May 2, 2008

/S/ Kimberly A. Hancock

Katzenbach and Khtikian  
Kimberly A. Hancock  
Attorney for Plaintiffs

## **PROOF OF SERVICE BY MAIL**

I am a resident of the County of San Francisco, California. I am over the age of eighteen years and not a party to this action. My business address is Katzenbach & Khtikian, 1714 Stockton Street, Suite 300, San Francisco, California 94133. On May 2, 2008, I served the within:

## 1. NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

on the parties remaining in the action herein, by placing a true copy thereof enclosed in a sealed envelope with first class mail postage thereon fully prepaid in the United States Mail at San Francisco, California, addressed as follows:

James H. Vernon  
Law Office of James H. Vernon  
2070 San Ramon Valley Boulevard  
San Ramon, CA 94583  
Attorney for Defendant Juergen Krueger, Inc.

Surety Company of the Pacific  
6345 Balboa Boulevard, Suite 325  
Encino, CA 91316

I declare under penalty of perjury that the forgoing is true and correct, and that this declaration was executed on May 2, 2008 in San Francisco, California.

/s/ Esther Kim  
Esther Kim